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HEV/LETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200304427-2

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Michael J. DOUGHERTY et al.

Confirmation No.: 5162

Application No.: 10/674,923

Examiner: J. S. Cerullo

Filing Date: 09/30/2003

Group Art Unit: 2112

Title: POWERING A NOTEBOOK ACROSS A USB INTERFACE

Mail Stop Petition
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL OF ABANDONMENT

1. Applicant petitions that the abandonment set forth in the notice mailed by the office on 03/21/2006 be withdrawn.

2. Submitted herewith is:

- ☐ A copy of the page of the response mailed on _____ showing a Certificate of Mailing executed on _____.
- ☐ A copy of the post card identifying the papers filed and showing the US PTO receipt stamp dated _____.
- ☐ A copy of the complete response previously filed.
- ☐ A copy of the attorney's Deposit Account Statement in which the item corresponding to the response referred to above is checked.
- ☒ A statement in support of the petition for withdrawal of abandonment.

3. Please proceed with further examination of this application on the basis of:

- ☐ The original papers filed, which have now reached the appropriate area of the PTO, and/or
- ☐ The attached copy of the papers originally filed.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed. A duplicate copy of this letter is enclosed.

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450
Date of Deposit:

OR

- ☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571)273-8300.
Date of facsimile: 06-16-06
Typed Name: Colleen F. Brown
Signature: Colleen F. Brown

Respectfully submitted,

Michael J. DOUGHERTY et al.

By [Signature]
Jonathan M. Harris

Attorney/Agent for Applicant(s)

Reg No. : 44,144

Date : 06-16-06

Telephone : (713) 238-8000

Re: 10/05 (AbdWtd)

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Jonathan M. Harris

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Rev 10/05 (AbdWithd)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Michael J. DOUGHERTY et al.	§	Confirmation No.:	5162
		§		
Serial No.:	10/674,923	§	Group Art Unit:	2112
		§		
Filed:	09/30/2003	§	Examiner:	Jeremy S. Cerullo
		§		
For:	Powering a Notebook	§	Docket No.:	200304427-2
	Across a USB Interface	§		

**STATEMENT IN SUPPORT OF THE
PETITION FOR WITHDRAWAL OF ABANDONMENT**

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: June 16, 2006

Sir:

The Office issued a Notice of Abandonment on April 21, 2006, on the basis that Applicants allegedly failed to timely pay the issue fee. Upon filing the above-identified application, Applicants gave the Office a general authorization to charge the deposit account in the event any fees were owed during the pendency of this case. Applicants also timely filed an executed issue fee transmittal form in response to the Notice of Allowance and "checked" the box indicating that the issue fee was enclosed. Applicants, however, inadvertently did not check the box explicitly authorizing the Office to charge the appropriate deposit account for the amount of the issue and publication fees owed.

37 C.F.R. § 1.311 (b) provides that:

(b) An authorization to charge the issue fee or other post-allowance fees set forth in § 1.18 to a deposit account may be filed in an individual application only after mailing of the notice of allowance. The submission of either of the following after the mailing of a notice of allowance will operate as a request to charge the correct issue fee or any publication fee due to any deposit account identified in a previously filed authorization to charge such fees:

- (1) An incorrect issue fee or publication fee; or
- (2) A fee transmittal form (or letter) for payment of issue fee or publication fee.

Appl. No. 10/674,923
Amdt. dated November 18, 2005
Reply to Office action of August 22, 2005

The MPEP's commentary on this rule specifically notes that:

Where it is clear that an applicant actually intends to pay the issue fee and required publication fee, but the proper fee payment is not made, for example, an incorrect issue fee amount is supplied, or a PTOL-85B Fee(s) Transmittal form is filed without payment of the issue fee, a general authorization to pay fees or a specific authorization to pay the issue fee, submitted prior to the mailing of a notice of allowance, will be allowed to act as payment of the correct issue fee.

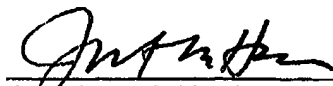
MPEP § 1306 (citing 37 C.F.R. § 1.311(b)).

Thus, Applicants' prior general authorization to charge the deposit account coupled with timely submission of a properly executed issue fee transmittal form complies with 37 C.F.R. § 1.311(b). Accordingly, Applicants respectfully request that this Petition for Withdrawal of Abandonment be granted and that the application permitted to issue.

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

To the extent any fees are owed by Applicants and charged to the above-identified deposit account, Applicants hereby request a refund of such fees on the basis that this application was improperly abandoned by the Office.

Respectfully submitted,



Jonathan M. Harris
PTO Reg. No. 44,144
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(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPLICANTS

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